

BOIES SCHILLER FLEXNER LLP
 RICHARD J. POCKER (NV Bar No. 3568)
 300 South Fourth Street, Suite 800
 Las Vegas, NV 89101
 Telephone: 702.382.7300
 Facsimile: 702.382.2755
 rpocker@bsflfp.com

BOIES SCHILLER FLEXNER LLP
 WILLIAM ISAACSON (*pro hac vice*)
 KAREN DUNN (*pro hac vice*)
 1401 New York Avenue, NW, 11th Floor
 Washington, DC 20005
 Telephone: (202) 237-2727
 Facsimile: (202) 237-6131
 wisaacson@bsflfp.com
 kdunn@bsflfp.com

BOIES SCHILLER FLEXNER LLP
 STEVEN C. HOLTZMAN (*pro hac vice*)
 BEKO O. REBLITZ-RICHARDSON
 (*pro hac vice*)
 44 Montgomery Street, 41st Floor
 San Francisco, CA 94104
 Telephone: 415.293.6800
 Facsimile: 415.293.6899
 sholtzman@bsflfp.com
 brichardson@bsflfp.com

MORGAN, LEWIS & BOCKIUS LLP
 BENJAMIN P. SMITH (*pro hac vice*)
 JOHN A. POLITO (*pro hac vice*)
 SHARON R. SMITH (*pro hac vice*)
 One Market, Spear Street Tower
 San Francisco, CA 94105
 Telephone: 415.442.1000
 Facsimile: 415.442.1001
 benjamin.smith@morganlewis.com
 john.polito@morganlewis.com
 sharon.smith@morganlewis.com

DORIAN DALEY (*pro hac vice*)
 DEBORAH K. MILLER (*pro hac vice*)
 JAMES C. MAROULIS (*pro hac vice*)
 ORACLE CORPORATION
 500 Oracle Parkway, M/S 5op7
 Redwood City, CA 94070
 Telephone: 650.506.4846
 Facsimile: 650.506.7114
 dorian.daley@oracle.com
 deborah.miller@oracle.com
 jim.maroulis@oracle.com

*Attorneys for Plaintiffs Oracle USA, Inc.,
 Oracle America, Inc., and Oracle
 International Corp.*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

ORACLE USA, INC.; a Colorado corporation;
 ORACLE AMERICA, INC.; a Delaware
 corporation; and ORACLE INTERNATIONAL
 CORPORATION, a California corporation,

Plaintiffs,

v.

RIMINI STREET, INC., a Nevada corporation;
 and SETH RAVIN, an individual,

Defendants.

Case No. 2:10-cv-0106-LRH-VCF

**MOTION TO SEAL PORTIONS OF
 ORACLE'S MOTION TO COMPEL
 RE POST-INJUNCTION
 REQUESTS FOR PRODUCTION
 AND EXHIBITS TO THE
 DECLARATION OF DAVID R.
 KOCAN**

Pursuant to the Stipulated Protective Order governing confidentiality of documents entered by the Court on May 21, 2010, ECF No. 55 (“Protective Order”), and Rules 5.2 and 26(c) of the Federal Rules of Civil Procedure, Plaintiffs Oracle USA, Inc., Oracle America, Inc., and Oracle International Corporation (collectively “Oracle”) respectfully request that the Court grant leave to file under seal Exhibits 4 and 21 to the Declaration of David R. Kocan (“Kocan Declaration”) filed in support of Oracle’s Motion to Compel and Memorandum of Points and Authorities re Post-Injunction Requests for Production (“Motion”) in their entirety, and those portions of the Motion to Compel discussing the content of those exhibits. Certain redacted portions of Oracle’s Motion and Exhibits 4 and 21 to the Declaration of David R. Kocan reflect information that Rimini Street, Inc. (“Rimini”) has designated “Confidential” or “Highly Confidential - Attorneys’ Eyes Only” under the Protective Order. Other redacted portions of Oracle’s Motion reflect information drawn from additional sources designated by Rimini under the Protective Order in *Rimini II*. Public, redacted versions of the Motion and Exhibits 4 and 21 were filed on August 19, 2019, *see* ECF No. 1237, and unredacted versions will be filed under seal with the Court.

The Protective Order states, “Counsel for any Designating Party may designate any Discovery Material as ‘Confidential Information’ or ‘Highly Confidential Information – Attorneys’ Eyes Only’ under the terms of this Protective Order only if such counsel in good faith believes that such Discovery Material contains such information and is subject to protection under Federal Rule of Civil Procedure 26(c). The designation by any Designating Party of any Discovery Material as ‘Confidential Information’ or ‘Highly Confidential Information – Attorneys’ Eyes Only’ shall constitute a representation that an attorney for the Designating Party reasonably believes there is a valid basis for such designation.” Protective Order ¶ 2.

Oracle submits these documents under seal pursuant to the Protective Order based on Rimini’s representation that it reasonably believes there is a valid basis under the Protective Order for its confidentiality designations. Rimini has designated Exhibits 4 and 21 to the Kocan Declaration as “Highly Confidential Information – Attorneys’ Eyes Only,” and thus represents

1 that those documents are subject to protection under Federal Rule of Civil Procedure 26(c) and
2 should be filed under seal. Because the material was designated by Rimini, Oracle is not in a
3 position to provide further justification for why filing the documents publicly would cause Rimini
4 harm.

5 Oracle has submitted all other portions of the Motion and Exhibits for filing in the Court's
6 public files, which will allow public access to all materials except for the portions discussed
7 above. Accordingly, this request to seal is narrowly tailored.

8 For the foregoing reasons, Oracle respectfully requests that the Court grant leave to file
9 under seal the documents discussed above.

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11 DATED: August 19, 2019

MORGAN, LEWIS & BOCKIUS LLP

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13 By: /s/ John A. Polito

John A. Polito

14 Attorneys for Plaintiffs Oracle USA, Inc., Oracle
15 America, Inc. and Oracle International Corporation
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CERTIFICATE OF SERVICE

I hereby certify that on the 19th day of August, 2019, I electronically transmitted the foregoing **MOTION TO SEAL PORTIONS OF ORACLE’S MOTION TO COMPEL RE POST-INJUNCTION REQUESTS FOR PRODUCTION AND EXHIBITS TO THE DECLARATION OF DAVID R. KOCAN** to the Clerk’s Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to all counsel in this matter; all counsel being registered to receive Electronic Filing.

MORGAN, LEWIS & BOCKIUS LLP

DATED: August 19, 2019

By: /s/ John A. Polito
John A. Polito

Attorneys for Plaintiffs Oracle USA, Inc., Oracle
America, Inc. and Oracle International
Corporation